REMARKS

The Office Action dated June 19, 2003 has been received and carefully studied.

The Examiner objects to claims 2-5 due to several informalities. By the accompanying amendment, the Examiner's suggestions for correction have been adopted. Claims 2 and 3 have been cancelled.

The Examiner rejects claims 1-2 under 35 U.S.C. §102(b) as being anticipated by Magnante et al., U.S. Patent No. 5,579,063, and claim 3 under 35 U.S.C. 103(a) as being unpatentable over Magnante et al. in view of Mihashi et al., U.S. Patent No. 6,234,978. The Examiner states that Magnante et al. disclose an eye characteristic measuring system comprising a changeable aperture diaphragm arranged at a position conjugate to the pupil of an eye; a projection optical system for projecting an index image via the aperture diaphragm onto the fundus; a photodetection optical system for receiving a secondary index image reflected from the fundus via the aperture diaphragm; and a detection unit which detects light amount intensity distribution of the secondary index image. With regard to claim 3, Mihashi et al. is cited for its disclosure of optical characteristic measuring apparatus with a variable aperture diaphragm.

By the accompanying amendment, claim 1 has been amended to recite that the aperture diaphragm is designed such that a position of an aperture can be changed. The present invention as now claimed is directed to an eye's optical characteristic measuring system wherein a light beam is projected via a single aperture diaphragm, and receives a reflection light beam from a fundus of the eye being tested via the aperture diaphragm. The aperture diaphragm determines the regions to pass the light beam on a pupil. By changing a position of an aperture, it is possible to change the regions to pass the light beam.

Magnante et al. discloses apparatus for assessing the vision loss in patients with unclear ocular

media by projecting the image of an external target source onto the retina, forming a second image of the retinal image of the target source onto the recording plane of an electronic camera, transferring the electronic image to an image processing computer, and measuring the extent of blurring of the retinal image of the target source using the computer. In the apparatus of Magnante et al., it is possible to change the diameter of an aperture of an aperture stop 4. However, it is not possible to change a position of the aperture.

The Examiner cites Mihashi et al. as disclosing a variable aperture diaphragm 202 designed to be shifted laterally and longitudinally in order to dispose different sub-diaphragms 202a, 202b onto the optical axis.

Mihashi et al. disclose optical characteristic measuring apparatus wherein a projection optical system has an aperture diaphragm and a photodetection optical system has another aperture diaphragm. The Mihashi et al. apparatus does not project a light beam and receive a light beam via a single aperture diaphragm as in the present invention. In addition, a variable diaphragm is arranged only on the projection optical system. With respect to the diaphragm arranged on the photodetection optical system, a reflected light beam is received via an invariable (fixed) converting device 400 which has a plurality of apertures (See Figure 2). The converting device 400 changes a reflected light beam into at least seven light beams, and has a construction and operation completely different from the aperture diaphragm of the present invention and of Magnante et al. Applicants respectfully submit that the skilled artisan would have no motivation to modify Magnante et al. in view of Mihashi et al.

Claim 6 has been added to further define the invention.

The allowability of claims 4 and 5 is noted with appreciation.

The remaining prior art is believed to have been properly not relied upon in rejecting any claim.

Reconsideration and allowance are respectfully requested in view of the foregoing amendment and remarks.

Respectfully submitted,

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